IN THE HIGH COURT OF JUDICATURE AT BOMBAY

APPELLATE SIDE

CRIMINAL APPLICATION NO. 3392 OF 2007

1. Gulshankumar Nanakchand Mehta,
2. Surinder Gulshan Mehta,
3. Mukesh Gulshan Mehta,
4. Guru Charan Gulshan Mehta. ... Applicants.

V/s.

1. The State of Maharashtra.
2. Kamalraj Shikandar Mohan Walia. ... Respondents.

J.G.Bhanushali for the applicants.

K.V.Saste, A.P.P. for the State.

Respondent No.2 in person.

CORAM: V.C.DAGA, J.

DATED: 17th October 2007.

P.C.:

. Heard learned counsel for the applicants and learned A.P.P. for the State.

2. This application is under section 438 of Code of Criminal Procedure, 1973. The applicant is apprehending their arrest in C.R.No.I-367/2007

registered with Panvel City Police Station, Panvel for the offences punishable under section 420 read with section 34 of Indian Penal Code on the basis of the complaint filed by the complainant/ respondent No.2.

3. The applicants have handed over four demand drafts worth Rs.3,55,000/- to the complainant/ respondent No.2, who is present in the Court. He has accepted the same. Zerox copies of the demand drafts are taken on record.

4. Having seen the material available on record and the payment made by the applicants, I am inclined to grant pre-arrest bail to the applicants, subject to the following conditions:

(a) In the event of arrest of the applicants in connection with C.R.No.I-367/ 2007 registered with Panvel City Police Station, they shall be released on bail of Rs.25,000/- each with one or two local solvent sureties to make up the amount.

(b) The applicant No.1 shall attend the concerned police station as and when called, whereas applicant Nos.2, 3 and 4 shall report to the police station once in a week, i.e. on every Friday between 3.00 p.m. to 5.00 p.m.

They shall co-operate with the investigating agency.

(c) The applicants shall not directly or indirectly, make any inducement or threat or pressurise any prosecution witnesses and shall not in any manner tamper with the prosecution evidence.

(d) This order of anticipatory bail shall operate till the filing of the chargesheet. After filing of chargesheet, it would be open to the applicants to apply for regular bail before regular court.

(e) It is needless to mention that breach of any of the conditions by the applicants shall result in cancellation of bail.

5. Application stands disposed of accordingly.

JUDGE